

REMARKS

In the Office Action mailed December 12, 2006, claims 1-25 are currently pending in the application. Claims 1-12, 14-16 and 19-25 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Justice, Jr. et al. (US Patent No. 6,418,469) in view of Roytman et al. (US Patent No. 6,356,282). Claim 13 is rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Justice, Jr. et al. (US Patent No. 6,418,469) in view of Roytman et al. (US Patent No. 6,356,282) and further in view of Arrowsmith et al. (US Patent No. 6,373,383). Claims 17-18 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Justice, Jr. et al. (US Patent No. 6,418,469) in view of Roytman et al. (US Patent No. 6,356,282) as applied to claim 16 above and further in view of Gaffaney et al. (US Patent No. 5,634,008).

Applicants respectively traverse. After a careful review of the Office Action, the cited references and Applicants' claim clarifications, Applicants respectively request reconsideration in view of the following remarks.

I. CLAIM REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-12, 14-16 and 19-25 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Justice, Jr. et al. (US Patent No. 6,418,469) (Justice 469) in view of Roytman et al. (US Patent No. 6,356,282) (Roytman 282). Applicants respectively traverse.

A. Applicants' Presently Claimed Invention

In amended independent claim 1, Applicants recite a system or method for processing network management data received by a network management system during the monitoring of a network. Such a system receives network management data, **and in real-time** determines if the network management data indicates the resolution of a previous event. The system also

automatically changes a severity indicator of the event, and then **automatically** removes the event from a memory associated with the network management system, where the removal is dependent on the severity indicator. For example, and as described in Applicants' Specification, "if the severity for resolved events is reduced to 'Low,' management systems with limited memory space for the event log will **automatically preferentially delete these events.**" (Applicant's Specification, page 10, lines 26-29.) All remaining independent claims, claims , 8, 13, 19, 22, and 23, recite similar limitations.

B. *Neither Justice 469 Nor Roytman 282, Separately or in Combination, Teach or Suggest Applicants' Presently Claimed Invention*

In contrast to Applicants' presently claimed invention, Justice 469, which is generally directed to managing conditions in a network of network devices, does not disclose either determining in **real-time** if the network management data indicates the resolution of a previous event. Justice 469 also does not disclose the step of **automatically** changing a severity indicator and then **automatically** removing the event depending on the severity indicator, as recited in the claims 1, 8, 22, and 23.

For example, Applicants contend that Justice 469 fails to disclose at least the steps of determining "**in real-time**" "if the network management data indicates the resolution of a previous event" and also fails to teach or suggest a system or method that "**automatically** changes a severity indicator of the event, and then **automatically** removes the event from a memory associated with the network management system, where the removal is dependent on the severity indicator."

As Applicants discuss in their Application, the method of the present invention enables the human network administrator to determine which events, in a list of previously generated (i.e. historical) events (i.e. the event log), are indicative of current network problems, and which

are indicative of problems which have been resolved, and no longer require attention. This enables the network administrator to identify and concentrate on solving problems associated with prevailing conditions on the network.

The present Office Action states that Justice 649 “discloses receiving network management data col. 1, lines 25-39), and determining if the network management data indicates the resolution of a previous event generated by the network management system in response to previously received network management data (col. 1, lines 25-67, col. 3, lines 26-67; col. 4, lines 1-33, also see Fig. 5, the log represents the list of action and recurring action, determine if the event in the log is resolved, then the management program updates the event list in response to the condition being resolved , the previous event is just an event in the log).” December 12, 2006 Office Action at p. 2-3.

Upon review of these cited portions of Justice 469, Applicants respectively traverse. The cited portions of Justice 469 cited above do not teach or suggest Applicants presently pending claim limitations directed to a method or system that enables a human network administrator to determine which events, in a list of previously generated (i.e. historical) events (i.e. the event log), are indicative of real-time network problems, and that are indicative of problems which have been resolved, and no longer require attention. This enables the network administrator to identify and concentrate on solving problems associated with prevailing conditions on the network.

In addition, the present Office Action states that Justice 469 teaches the step of “removing said previous event from a memory of the network management system (see Justice col. 1, lines 38-39, col. 3, lines 57-58, deleting entries from event list, if determine if it is resolved.” December 12, 2006 Office Action page 3 (emphasis added). Applicants respectively

point out that deleting entries from an event “list” is not the same as deleting a previous event from a memory. As Applicants point out in their original Patent Specification, deleting an event from an event list is different than deleting the event from memory:

When processing of data by the network management application detects certain predetermined conditions, the network management application will generate an event. For example, if a network device fails to respond to an IP Ping sent by the network management application within a predetermined time period, an event will be generated. Such events are stored in memory and placed in an event list for presentation e.g. by display on a display screen or by printing in a report.

Applicants Specification p. 8 lines 6-11 (emphasis added). Consequently, since Justice 469 fails to teach the step of “deleting a previous event from memory of the network management system,” Justice 469 naturally also fails to teach “automatically deleting a previous event from memory of the network management system.”

Justice 469 also fails to teach or suggest “automatically changing a severity indicator of said previous even dependent on said determining step.” From the currently pending Office Action, it is apparent that the Examiner concedes that “Justice does not [sic] explicitly disclose changing a severity indicator of said previous event dependent on said determining step; depending on said severity indicator.” December 12, 2006 Office Action at p. 3. As such, Justice 469 naturally therefore does not teach or suggest “automatically changing a severity indicator of said previous event dependent on said determining step.” (emphasis added).

However, the present Office Action contends that “Roytman teaches changing a severity indicator (Roytman col. 2, lines 18-33, 59-67 col. 3, lines 5, col. 7, lines 1-21, lines 54-67; col. 8, lines 1-21, the network manager changing the state of the alarm.” December 12, 2006 Office Action page 3. Applicants respectively traverse.

Roytman 282 appears generally related to an alarm management, and discloses an alarm manager that may “summarize, sort, and prioritize alarm information.” (Roytman 282, Col. 2,

Lines 58-63). Roytman 282 describes how an operator may setup sorting criteria or operational modes (*See, e.g.*, Roytman 282, abstract), but does not teach or describe the automatic removal of an event from memory based on a severity indicator. Applicants maintain, therefore, that merely sorting or arranging alarm information would not be understood by one of ordinary skill in the art as automatically removing the event from memory based on the severity indicator.

Because neither Justice 469 nor Roytman 282 teach or suggest automatically removing an event from a memory of the network management system, depending on the severity indicator, the combination of Justice 469 and Roytman 282 does not show or suggest all the elements of independent claims 1, 8, 13, 22, and 23. As such, claims 1, 8, 22, and 23 are not obvious in light of the combination of Justice 469 and Roytman 282.

In addition, and with respect to independent claim 19, Applicants previously included the limitation of determining if an event has already been logged “a predetermined number of times” in an event list. In a previous rejection of claim 19, the Final Office Action stated that the log disclosed by Justice 469 “represents the list of action and recurring action.” March 27, 2006 Final Office Action at p. 7-8. In addition, the previous Office Action referred to various repeated events referred to in Justice, namely “upgrade system Rom” and “event 11000”. As Applicants previously stated, Justice 469 does not disclose an event being logged a *predetermined* number of times. In contrast, although it appears from Justice 469 that these repeated events have occurred multiple times, Justice 469 does not disclose the network management system logging a predetermined number. Instead, and at most, the events described in Justice 469 appears to have occurred a random number of times, not “a predetermined number of times.”

The present Office Action states that because “Applicant does not specifically define what is ‘predetermined of times’ in the specification, the Office Action equates this term as being

“just ‘the number of times in the event list.’” December 12, 2006 Office Action at page 12. Again, applicants respectively traverse.

Applicants contend that this term should be construed or understood according to its ordinary meaning. The ordinary meaning of “predetermined” is “to determine beforehand.” Therefore, “determining in real-time if an event has already been logged a predetermined number of times” means determining if an event has been logged a number of times and that this number is determined beforehand, that is, before the event actually appears for the first time in the list. Therefore, “a predetermined number of times” cannot be a random, unknown number as taught or suggested (allegedly) by Justice 469.

Therefore, because neither Justice 469 nor Roytman 282 show or suggest an event being logged a predetermined number of times, the combination of Justice 469 and Roytman 282 does not show or suggest all the elements of claims 19. Thus, Applicants believe that claim 19 is not obvious in light of the combination of Justice 469 and Roytman 282.

The remaining claims, claims 2-7, 9-12, 20-21, and 24-25 depend, either directly or indirectly on the independent claims. Therefore, for all of the reasons discussed above, Applicant believes that these claims are also not obvious in light of the combination of Justice 469 and Roytman 282 for at least the reasons described above with respect to claims 1, 8, 13, 19, 22, and 23.

In light of the above, Applicant respectfully requests withdrawal of these rejections under 35 U.S.C. § 103(a).

IV. SUMMARY

Applicants respectfully submit that, in view of the remarks above, the present application, including claims 1-25, is in condition for allowance and solicit action to that end.

If there are any matters that may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact Applicants' undersigned representative at (312) 913-0001.

Respectfully submitted,

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